

1130 DELEGATIONS OF AUTHORITY

Travel 07

Acceptance of Payment in Cash or in Kind to Cover Travel Expenses

Issuing Office: OFM 435-2927

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1. **Explanation of Material Transmitted:** This delegation is revised to reflect recent changes to Limitations/Guidance No. 2 and Redelegations. All travel conducted by the Institute/Center (IC) Directors must be authorized and approved by the Deputy Director for Management (DDM), NIH; and all travel conducted by the IC Deputy Directors must be authorized and approved by the respective IC Director.
2. **Filing Instructions:**

Remove: NIH Manual 1130, Travel No. 7, dated 1/11/00

Insert: NIH Manual 1130, Travel No. 7, dated 10/17/02

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Authorities Delegated

1. To authorize and approve the acceptance from nonfederal sources of cash or services in kind to defray travel, subsistence, and related expenses.
2. To authorize and approve the acceptance of reimbursements for travel expenses for an employee's accompanying spouse as provided in Title 31 U.S.C. 1353.
3. To authorize and approve the acceptance of reimbursement from a nonfederal source for travel expenses in excess of those provided under standard Federal Travel Regulations as provided in Title 31 U.S.C. 1353 and the regulations under 41 CFR 304.
4. To authorize and approve the acceptance of expenses from a conflicting nonfederal source only when the authorizing official determines that the benefit to the Department of attendance at the function outweighs the conflict of interest concern as provided in Title 31 U.S.C. 1353 and the regulations under 41 CFR 304.

| To Whom Delegated | Area of Authority |
|--|------------------------------|
| Deputy Director, NIH | NIH |
| Deputy Director for Management, NIH | NIH |
| IC Directors/Deputy Directors/Executive Officers | Respective Areas |
| OD Executive Officer | OD with the exception of ORS |
| Associate Director for Research Services | ORS |

Limitations/Guidance

1. Each of the authorities delegated above must be exercised in accordance with all applicable statutes, regulations, Federal Travel Regulations or Joint Federal Travel Regulations as appropriate, and Departmental and NIH policies.
2. All travel conducted by the Institute/Center (IC) Directors must be authorized and approved by the Deputy Director for Management (DDM), NIH; and all travel conducted by the IC Deputy Directors must be authorized and approved by the respective IC Director.
3. Reimbursement offered and accepted may not exceed (a) the currently set levels for each calendar day or fraction of a day in travel status for actual expense allowance subsistence within the boundaries of the continental United States, or (b) the sum of the maximum per diem allowance plus the currently set allowance for travel outside the boundaries of the continental United States.
(EXCEPTION: Authority Delegated #3 above)
4. As a matter of Departmental policy, no official may authorize or approve his or her own travel. All redelegations must be in writing. A copy of the redelegation must be retained by the official making the delegation and by the incumbent of the position to whom the delegation is made. A copy of the redelegation must also be sent to the respective administrative office.
5. In keeping with NIH policy and corresponding reporting requirements, all HHS-348 travel voucher packages must be processed through the Administrative Database (ADB). Should payment be due NIH, the employee must submit a copy of the voucher package along with a check in payment to the Office of Financial Management, Travel Officer, Building 31, Room B1B31, within 5 working days after approval.
6. Use of noncontract air carriers and use of foreign air carriers is subject to Delegation of Authority, Travel #14. Use also is subject to GSA Federal Travel Regulations, 41 CFR 301, or to Joint Federal Travel Regulations, as appropriate.

7. All previous delegations of authority inconsistent with the provisions of this delegation are superseded.

Redelegation

With the exception of the IC Director/Deputy Director travel, these authorities may be redelegated by the Deputy Director for Management, NIH, but may not otherwise be redelegated.*

Citations

1. 5 U.S.C. 302, 5701, 5702 and 31 U.S.C. 1353, as amended
2. 42 U.S.C. 203, 216, 281, and 3506, as amended
3. Federal Travel Regulations, 41 CFR 301 and 304, Part 304-1, "Acceptance of Payment From A Non-Federal Source for Travel Expenses"
4. Joint Federal Travel Regulations
5. HHS Travel Manual Chapter 1-70
6. Travel Expense Act of 1949, as amended (Pub. L. 94-22)
7. Foreign Relations Authorization Act, Fiscal Year 1978 (Pub. L. 95-105)
8. Memorandum to Heads of Operating Divisions from the Deputy Assistant Secretary, Finance, OS, dated March 6, 1996, entitled: "Delegations of Authority"
9. Secretary's Reorganization Order of September 25, 1995 (60 FR 51480 (October 2, 1995))
10. Standards of Ethical Conduct for Employees of the Executive Branch, 5 CFR Part 2635, especially Subpart B, "Gifts From Outside Sources"

/s/
Elias A. Zerhouni, M.D.
Director, NIH

*Modified in accordance with the 12/30/99 memo from the Director, NIH, to the Deputy Director for Management, NIH, entitled: "Delegation of Authorities - Travel #7."

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